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I N D E X

			Re-	Re-	By
Witnesses:	Direct	Cross	direct	cross	Examiner

	E X H I B I T S			
APPLICANT'S	For	Identification		In Evidence

1 ADMINISTRATIVE LAW JUDGE RILEY: Pursuant to
2 direction of the Illinois Commerce Commission, I call
3 Docket 05-0058. This is a petition by Harbor Ridge
4 Utilities, Inc., for issuance of certificate of
5 public convenience and necessity to provide sanitary
6 sewer collection and disposal service to a parcel in
7 unincorporated Lake County, Illinois pursuant to
8 Section 8-406 of the Illinois Public Utilities Act.

9 Counsel for Harbor Ridge, would you
10 enter an appearance, please.

11 MR. SEIDEL: Yes. Thank you.

12 W. Michael Seidel, the law firm of
13 Defrees & Fiske, 200 South Michigan Avenue, Suite
14 1100, Chicago, Illinois 60604.

15 ADMINISTRATIVE LAW JUDGE RILEY: Thank
16 you.

17 And for staff.

18 MR. MILOSEVIC: On behalf of staff of
19 the Illinois Commerce Commission, Vladan Milosevic.
20 Our address is 160 North LaSalle, Suite 800, Chicago,
21 Illinois 60601.

22

1 ADMINISTRATIVE LAW JUDGE RILEY: Thank
2 you.

3 And, gentlemen, this is a no issues
4 hearing that we have convened here. It's my
5 understanding that all the -- anything that was under
6 contention has been worked out and otherwise resolved
7 between the parties; is that correct?

8 MR. MILOSEVIC: That's correct.

9 MR. SEIDEL: That's correct.

10 ADMINISTRATIVE LAW JUDGE RILEY: Okay.
11 Then did staff or Harbor Ridge have -- did you have a
12 motion for admission of testimony into evidence as
13 exhibits?

14 MR. MILOSEVIC: Yes, your Honor.

15 ADMINISTRATIVE LAW JUDGE RILEY: Okay.
16 Let's -- should we begin with staff?

17 MR. MILOSEVIC: Yeah. Sure.

18 ADMINISTRATIVE LAW JUDGE RILEY: Okay.

19 MR. MILOSEVIC: We would like to move
20 for the admission of ICC Staff Exhibit 2.0 as filed
21 on e-docket on June 13, 2005, which is affidavit of
22 Phil Hardis.

1 ADMINISTRATIVE LAW JUDGE RILEY: Okay.

2 MR. MILOSEVIC: And, your Honor, we

3 also move for the admission of ICC Staff Exhibit 1.0,

4 titled Direct Testimony of Thomas Q. Smith,

5 consisting of a cover page, 22 pages of narrative

6 testimony as Staff Exhibits 1.1 and 1.2.

7 ADMINISTRATIVE LAW JUDGE RILEY: Okay.

8 Slow down. You got Exhibit 1.0 as the testimony of

9 Thomas Q. Smith?

10 MR. MILOSEVIC: Uh-huh.

11 ADMINISTRATIVE LAW JUDGE RILEY: What

12 is 1.1?

13 MR. MILOSEVIC: Staff Exhibits 1.1 and

14 1.2, those are the regulatory. . .

15 MR. SEIDEL: Terms and conditions,

16 general terms and conditions that the staff suggested

17 for the company.

18 ADMINISTRATIVE LAW JUDGE RILEY: Those

19 are attachments to 1.0?

20 MR. MILOSEVIC: Exactly, your Honor.

21 MR. SEIDEL: Is one sewer and one

22 water?

1 MR. MILOSEVIC: Water, yeah.

2 ADMINISTRATIVE LAW JUDGE RILEY: And

3 is this all filed on the e-docket?

4 MR. MILOSEVIC: That was filed on June

5 13, 2005.

6 ADMINISTRATIVE LAW JUDGE RILEY: Okay.

7 But it is on e-docket? So all three of those are on

8 e-docket?

9 MR. MILOSEVIC: Yes.

10 ADMINISTRATIVE LAW JUDGE RILEY: All

11 right. Thanks.

12 MR. MILOSEVIC: And I would like to

13 also move for the admission of ICC Staff Exhibit 3.0,

14 which is titled Rebuttal Testimony of Thomas Q.

15 Smith, consisting of a cover page and nine pages of

16 narrative testimony, which was filed on e-docket on

17 September 1st, 2005.

18 ADMINISTRATIVE LAW JUDGE RILEY: Okay.

19 1.0 is his direct; right?

20 MR. MILOSEVIC: Yes, your Honor.

21 ADMINISTRATIVE LAW JUDGE RILEY: And,

22 again, I'm sorry, was e-docket you said?

1 MR. MILOSEVIC: It was filed on
2 e-docket. 3.0 was filed on e-docket on September
3 1st, 2005.

4 ADMINISTRATIVE LAW JUDGE RILEY: Okay.

5 MR. MILOSEVIC: And, finally, your
6 Honor, I would like to move for the admission of ICC
7 Staff Exhibit 4.0, which was filed on e-docket on
8 October 11, 2005, which is affidavit of
9 Mr. Thomas Q. Smith.

10 ADMINISTRATIVE LAW JUDGE RILEY: Is
11 that it?

12 MR. MILOSEVIC: That's it, your Honor.

13 ADMINISTRATIVE LAW JUDGE RILEY: Is
14 there any objection to the admission of any of the
15 exhibits proffered by staff?

16 MR. SEIDEL: No, there is not.

17 ADMINISTRATIVE LAW JUDGE RILEY: Then
18 Staff Exhibits 1.0, 1.1, 1.2, 2.0, 3.0 and 4.0 are
19 admitted into evidence.

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1 (Whereupon, Staff
2 Exhibit Nos. 1.0, 1.1, 1.2,
3 2.0, 3.0 and 4.0 were admitted
4 into evidence.)

5 MR. MILOSEVIC: Thank you, your Honor.

6 ADMINISTRATIVE LAW JUDGE RILEY: And
7 with regard
8 to Harbor Ridge.

9 MR. SEIDEL: Thank you. On behalf of
10 Harbor Ridge Utilities, Inc., I would move the
11 admission of the following exhibits which I will now
12 describe:

13 Harbor Ridge Utilities, Inc., HRU --
14 what's been marked for identification purposes as HRU
15 Exhibit No. 1, which is the prepared direct testimony
16 of Steven W. Dihel.

17 HRU Exhibit No. 2 -- first, let me
18 backtrack. The HRU Exhibit No. 1 was filed on
19 e-docket on May 4th, 2005.

20 ADMINISTRATIVE LAW JUDGE RILEY: Okay.

21 MR. SEIDEL: Our second exhibit is H
22 -- which has been marked for identification purposes

1 as HRU Exhibit No. 2, and it is the prepared rebuttal
2 testimony of Steven W. Dihel, which was filed via
3 e-docket on July 20th, 2005.

4 ADMINISTRATIVE LAW JUDGE RILEY: Just
5 for the record, for the court report, Dihel is
6 D-i-h-e-l?

7 MR. SEIDEL: Correct.

8 ADMINISTRATIVE LAW JUDGE RILEY: Okay.

9 MR. SEIDEL: Next, what's -- is what
10 has been marked for identification purposes as HRU
11 Exhibit No. 3.0, which is the sur- -- prepared
12 surrebuttal testimony of Steven W. Dihel. It was
13 filed via e-docket on September 27th, 2005.

14 In that exhibit, Mr. Dihel refers to
15 exhibit -- what's been marked for identification
16 purposes as HRU Exhibit No. 3.1, which is the legal
17 description of the area proposed to be added to
18 Harbor Ridge Utilities, Inc., certificated area.
19 And that was also filed via e-docket on
20 September 27th, 2005.

21 ADMINISTRATIVE LAW JUDGE RILEY: Okay.

22 MR. SEIDEL: The next exhibit has been

1 marked for identification purposes as HRU Exhibit No.
2 3.2 revised. It is the signed sewer facilities
3 agreement, signed by the company and the customer,
4 which is referred to in Mr. Dihel's rebuttal
5 testimony. This exhibit was filed via e-docket on
6 October 7th, 2005.

7 And, finally, we have what has been
8 marked for identification purposes as Harbor Ridge
9 Exhibit No. 3.3, and this is the affidavit of
10 Steven W. Dihel. This was filed via e-docket on
11 October 7th, 2005.

12 ADMINISTRATIVE LAW JUDGE RILEY:

13 That's all the exhibits?

14 MR. SEIDEL: That's correct. We move
15 their admission.

16 ADMINISTRATIVE LAW JUDGE RILEY: Then
17 with regard to all of the exhibits identified and
18 moved for admission by Harbor Ridge, does staff have
19 any objection?

20 MR. MILOSEVIC: No objection, your
21 Honor.

22 Except, I got a question for you.

1 Which -- is the signed agreement 3.3?

2 MR. SEIDEL: No. 3.2 revised.

3 MR. MILOSEVIC: All right. No
4 objection, your Honor.

5 ADMINISTRATIVE LAW JUDGE RILEY: Okay.
6 3.3 was the Dihel affidavit.

7 Then staff -- excuse me, Harbor Ridge
8 Exhibits 1.0, 2.0, 3.0, 3.1, 3.2, 3.3 as described
9 are admitted into evidence.

10 (Whereupon, HRU
11 Exhibit Nos. 1.0, 2.0, 3.0,
12 3.1, 3.2, 3.3 were admitted
13 into evidence.)

14 ADMINISTRATIVE LAW JUDGE RILEY: Was
15 there any other business that we had?

16 MR. SEIDEL: Well, we've discussed
17 with staff the company's preparing and submitting for
18 staff's review a draft order for submission to the
19 examiner to adopt as his proposed order. We'd like
20 to have until October 28th to file that via e-docket.

21 Prior to that time, we'll have
22 circulated it to staff and attempt to incorporate all

1 revisions or suggestions they think are appropriate.

2 ADMINISTRATIVE LAW JUDGE RILEY: All
3 right. Is that --

4 MR. MILOSEVIC: That's agreeable.

5 ADMINISTRATIVE LAW JUDGE RILEY:
6 That's agreeable to staff?

7 MR. MILOSEVIC: Yes.

8 ADMINISTRATIVE LAW JUDGE RILEY: All
9 right. Then it sounds fine.

10 As I said, the only deadline we're
11 facing in this matter is about nine months from now
12 when the temporary certificate expires. That will
13 be, I believe, July sometime 2006.

14 We should be able to dispense with this
15 matter and get it approved before the Commission long
16 before then.

17 MR. SEIDEL: I think so.

18 MR. MILOSEVIC: Yes.

19 ADMINISTRATIVE LAW JUDGE RILEY:
20 Anything further?

21 MR. SEIDEL: No, your Honor. Thank
22 you very much --

1 MR. MILOSEVIC: No.

2 MR. SEIDEL: -- for accommodating our
3 schedules --

4 ADMINISTRATIVE LAW JUDGE RILEY: Certainly.

5 MR. SEIDEL: -- and rescheduling this
6 from time to time.

7 ADMINISTRATIVE LAW JUDGE RILEY: I'll
8 await the draft order. And there won't be a proposed
9 order in this matter. There are no contested issues;
10 therefore, the -- once I have prepared the order
11 itself, it will go directly to the Commission for
12 approval.

13 MR. SEIDEL: Okay.

14 ADMINISTRATIVE LAW JUDGE RILEY: Then I
15 direct the court reporter to mark this matter heard
16 and taken.

17 Thank you very much.

18 HEARD AND TAKEN

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